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Room 222
Dockets

17 FEB 1993

IN REPLY REFER TO:

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Honorable Duncan Hunter
House of Representatives
133 Cannon Building
Washington, D.C. 20515

Dear Congressman Hunter:

This is in reply to your letter of January 28, 1993, in which you inquired on behalf of your constituent, Ron Peterka, regarding the Notice of Proposed Rule Making (Notice) in PR Docket No. 92-235, 57 FR 54034 (1992). This Notice proposes comprehensive changes to the Commission's Rules governing the private land mobile radio services operating in the frequency bands below 512 MHz.

Those rules have been in place for over 20 years. While they have been amended on numerous occasions since that time, they nonetheless embody regulatory concepts based on yesteryear's technology and, unless changed, will stifle the growth and development of private land mobile radio technology and services, which are used primarily by local governments, public safety entities, and businesses to enhance their productivity. The Commission issued the Notice, therefore, to solicit comment from all interested persons on a wide variety of proposals designed to increase channel capacity, to promote more efficient use of these channels, and to simplify the rules governing use of these channels.

The proposals in the Notice reflect to a large extent concepts and proposals submitted in the initial inquiry stages of this proceeding. None of the proposals set forth in the Notice, however, are engraved in stone. Indeed, the proposals represent our best judgment at this stage of the proceeding on steps that must be taken to improve the regulatory climate for users of the private land mobile radio spectrum below 512 MHz. To this end, some of the critical issues that must be resolved relate to channel spacing, the amount of time provided to users to convert to new technical standards, how the 300 to 500 percent increase in channel capacity should be licensed, how the rules should be written to provide users technical flexibility, and whether the current nineteen radio services should be consolidated and, if so, how. I have enclosed for your information a copy of that part of the Notice that describes the numerous proposals.

Mr. Peterka is specifically concerned about the impact of these changes on radio control (R/C) hobby users. Enclosed is a discussion paper concerning our proposals for the 72-76 MHz band. In short, we expect there would be no adverse impact on R/C operations because of any proposal contained in the Notice.

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Honorable Duncan Hunter

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We are, of course, sensitive to the concerns of both users of private land mobile radio spectrum and R/C hobbyists. We will, therefore, take into careful consideration all their comments. Your constituent's concerns will be fully evaluated when we develop final rules in this proceeding. As indicated in the Notice, we remain convinced that without significant regulatory change in radio operations in the bands below 512 MHz, the quality of communications in the private land mobile radio services will continue to deteriorate to the point of endangering public safety and the national economy.

We want to thank you for your interest in this proceeding. Comments on the proposals set forth in the Notice are due May 28, 1993, and Reply Comments are due July 14, 1993. We expect final rules to be issued in 1994. We urge your constituent to file formal comments on all aspects of the proposals.

Sincerely,

A handwritten signature in dark ink, appearing to read "Ralph A. Haller", written over a horizontal line.

Ralph A. Haller
Chief, Private Radio Bureau

Enclosures:
Notice
Order
Discussion paper

Congressional

DUR: 2-12-93

PLEASE MAKE 2 EXTRA COPIES OF INCOMING, ATTACHMENTS,
AND REPLY FOR DOCKET FILE, ROOM 222.

CONGRESSIONAL CORRESPONDENCE TRACKING SYSTEM
02/05/93

LETTER REPORT

CONTROL NO.	DATE RECEIVED	DATE OF CORRESP	DATE DUE	DATE DUE OLA(857)
9300419	02/05/93	01/28/93	02/18/93	

TITLE	MEMBERS NAME	REPLY FOR SIG OF
Congressman	Duncan Hunter	BC

CONSTITUENT'S NAME	SUBJECT
Ron Peterka	inq. comments on PR Docket 92-235

REF TO	REF TO	REF TO	REF TO
PRB/nnn			
2-5-93			

DATE	DATE	DATE	DATE
02/05/93			

REMARKS:

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DUNCAN HUNTER
52D DISTRICT, CALIFORNIA

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The 103d Congress
U.S. House of Representatives
Washington, DC 20515-0552

January 28, 1993

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419

Linda Townsend Solheim
Director, Legislative Affairs
Federal Communications Commission
1919 M street NW, room 808
Washington, D.C., 20554

Dear Linda:

I have enclosed correspondence from my constituent, Ron Peterka, regarding his concerns over the Federal Communications Commission's (FCC) recently issued Notice of Proposed Rule Making (NPRM). I would appreciate your office looking into this matter and providing me with a full report of your findings.

Thank you for your time and consideration. I look forward to hearing from you.

With best wishes.

Sincerely,

Duncan Hunter
Member of Congress

DH/int

JAN 22 1993

The Honorable Duncan Hunter
United States House of Representatives
Washington D C 20515

Subject: Federal Communications Commission NPRM PR Docket 92-235

Dear Sir,

The FCC has recently issued an NPRM that will profoundly and adversely affect many thousands of us who enjoy operating radio controlled aircraft, boats and cars. I respectfully ask that you look very carefully at this proposed regulation and the onerous effect it will have on over two million hobbyists.

The FCC is proposing assigning a number of mobile radio transmitter frequencies on frequencies that are so close (2.5 kHz) to frequencies now assigned for model usage in the 72 and 75 MHz band, with channel bandwidths of only 20 kHz, that operation of these new and much more powerful transmitters on what would be legal frequencies would overpower our signals and total loss of control of the craft being operated would occur. Please understand that we are talking about aircraft weighing up to 55 lbs and flying at speeds up to 200 MPH. Imagine the property damage or personal injury that could occur in that scenario.

If these new frequencies are allowed, the hobbies enjoyed by so many people, children and adults, will effectively be killed. There are almost two hundred dues paying active members in my local flying club alone. Financial losses will be great and many people will lose their jobs in the two billion dollar annual sales hobby industry. No responsible model pilot would launch his/her aircraft knowing that control could be lost, personal injury caused, and property damaged due to the operation of a perfectly legal mobile radio transmitter nearby. Remember, the new frequencies allow ten times the power we are allowed for model usage.

You should also consider that in 1991 the FCC changed our model radio channel bandwidths from 40 kHz to 20 kHz which obsoleted virtually all our current radios. We all have spent from \$100 to many hundreds of dollars upgrading our equipment to comply with the rules effective in 1991. Only two years ago. Modelers supported this change because it allowed us more channels without expanding the required radio spectrum usage.

It is my understanding that developing new technology radios for use in this new allocation system would be economically unfeasible if not technically impossible.

It appears to me that the FCC has proposed this NPRM in one of these three ways; Carelessly, not checking the impact of the NPRM against existing operations, or; At the request of some commercial interest group, again not checking impact, or finally; Simply proposing a rule while not caring at all what the impact is. Perhaps some combination of this scenario is accurate.

I call on you to investigate this NPRM and I am confident that you will put a stop to this unfair and unrealistic regulation.

Sincerely,

A handwritten signature in cursive script, appearing to read "Ronald Peterka".

Ron Peterka
25106 Oakana Rd
Ramona CA 92065
(619) 788-9022